

New Mexico Taxation and Revenue Department

2006 Calculation of Estimated Personal Income Tax Underpayment Penalty

Print your name (first, middle, last)

Enter your social security number

HOW TO USE THIS FORM

**You need to complete this form only if you have elected to use an alternative method of computing estimated tax due.** If you do not elect to use an alternative method, the department will compute your liability, if any, using the standard method and will send you an assessment for penalty due. Alternative methods of computing estimated tax are described on page 2 of the Instructions. If one of the alternative methods for calculation of penalty on underpayment of estimated income tax applies to you, complete this form and attach it to your 2006 New Mexico PIT-1 form. You must also mark the indicator box beneath line 31 of Form PIT-1. If you do not need to file this form, you may use it to calculate penalty, but *do not* submit this form to the department. See also Publication FYI-320, *PIT-ES: Personal Income Tax Estimated Payments*, for a complete explanation of calculating estimated personal income tax and how to make estimated personal income tax payments.

**Note:** No penalty is imposed if the difference between line 4 in Column 2 of Section II, and the tax withheld under the provisions of the Withholding Tax Act (Chapter 7, Article 3 NMSA 1978) for the tax year is less than \$500. You do not owe the penalty. Do not file this form. When computing the difference, do not include tax withheld under the provisions of the Oil and Gas Withholding Tax Act (Chapter 7, Article 3A NMSA 1978), reported on line 21, Form 2006 PIT-1.

**Section I: Mark the box below that applies to you.** Refer to *Alternative Methods* on page 2 of the instructions for further details.

1. I may elect to use an alternative method of computing estimated tax due because (Check one):

- ☐ My income varied during the year, and I was not required to pay estimated personal income tax until after March 31, 2006.
- ☐ I am a farmer or rancher who expects to receive two-thirds of gross income for 2006 from ranching or farming, or I have received at least two-thirds of my gross income for the previous tax year from farming or ranching, or
- ☐ I wish to compute estimated payments based on the actual dates on which all amounts of withholding tax were withheld for tax year 2006.

**Section II: Calculate the required annual payment.**

Enter the amounts from the New Mexico personal income tax forms and schedules for the tax year shown at the top of the column. Do not complete the column for 2005 if you did not file a full, 12-month New Mexico PIT-1 return for tax year 2005. **Note:** If you are a first-year resident in 2006, you do not owe the penalty.

2. For column 1 enter the amount from line 16, Form 2005 PIT-1, for column 2 enter amount of Net New Mexico income tax from line 18, Form 2006 PIT-1.

3. For column 1 enter the sum of lines 17 and 18 Form 2005 PIT-1, for column 2 enter the sum of rebates and credits from line 19, Form 2006 PIT-1.

4. Subtract the sum of line 3 from line 2 and enter here. If the difference between the amount on this line, column 2 and the income tax withheld on line 20, Form 2006 PIT-1 is less than \$500, stop here. You do not owe the penalty. Do not file this form. See the *note* above.

5. Multiply column 2, line 4, by 90% (0.90), and enter here.

6. Enter the amount of column 1, line 4 in column 2, line 6. If you did not complete column 1, or enter zero if column 1, line 4 is a negative number.

7. Enter the lesser of lines 5 and 6. **This is your required annual payment.**

	Column 1 (2005)	Column 2 (2006)
2		
3		
4		
5		
6		
7		

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## Section III: Calculate the amount and timing of the required estimated tax payments due.

8. If you were required to make estimated tax payments on or before March 31, multiply the required annual payment, line 7, by 25% (0.25). Enter this amount on line 12 in each of the columns in the table below and go to line 11.
9. If you did not have income sufficient to require a payment until after March 31, review lines 9a, 9b and 9c and complete line 12 according to the instructions that apply. Then go to line 11.
  - 9a. If you were required to make estimated tax payments after March 31 but before June 1, multiply the required annual payment, line 7, by 50% and enter on line 12, column (b). Multiply the required annual payment, line 7, by 25% and enter that amount on line 12, columns (c) and (d).
  - 9b. If you were required to make estimated tax payments after May 31 but before September 1, multiply the required annual payment, line 7, by 75%, and enter that amount on line 12, column (c). Then multiply the required annual payment, line 7, by 25% and enter that amount on line 12, column (d).
  - 9c. If you were required to make estimated tax payments after August 31, enter 100% of the required annual payment, line 7, on line 12, column (d).
10. If you are a qualified farmer or rancher, enter 100% of the required annual payment on line 12, column (d) and go to line 11. **Note:** Do not file this form, RPD-41272, if a qualified farmer or rancher who files and pays the tax in full on or before March 1 of the year following the tax year of the return. No penalty is due.
11. **Total withholding tax and estimated tax paid.** To complete line 13, divide the tax withheld for the 2006 tax year by four and add an equal amount of tax withheld to the estimated tax paid per payment period. If you elect to compute estimated installment payments based on the actual dates on which all amounts of withholding tax were withheld for the applicable year, enter the total taxes withheld for the quarter in column (a) through (d), based on the actual date the amounts were withheld. For each column enter the total tax withheld prior to the date above the column if it was a calendar tax year, and the equivalent payment period due date if it was a fiscal year. For columns (b), (c) and (d), do not include amounts withheld and reported in the previous column. Include amounts carried forward from the prior-year personal income tax return in column (a).

## Section IV: Calculate the underpayment.

Complete lines 12 and 13 according to the instructions 8 through 11 above. Then continue with line 14. Complete lines 14 through 20 for each column before going on the next column. Do not complete fields that are shaded.

12. Required estimated payments. See instructions 8 through 10.
13. Estimated tax paid and tax withheld. See instruction 11 to complete this line.
14. Enter amount of overpayment, if any, from line 20 of the previous column.
15. Add lines 13 and 14.
16. Add amounts on lines 18 and 19 of the previous column.
17. Subtract line 16 from line 15. If zero or less, enter zero.  
For column (a) only, enter the amount from line 13.
18. If the amount on line 17 is zero, subtract line 15 from line 16. Otherwise, enter zero.
19. Underpayment. If line 12 is equal to or more than line 17, subtract line 17 from line 12. Then go to line 14 of the next column. Otherwise, go to line 20.
20. Overpayment. If line 17 is more than line 12, subtract line 12 from line 17. Then go to line 14 of the next column.

Payment Period Due Dates				
	(a) 4/15/06	(b) 6/15/06	(c) 9/15/06	(d) 1/17/07
12.				
13.				
14.				
15.				
16.				
17.				
18.				
19.				
20.				

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- ☐ Check here if you wish the department to compute the penalty on underpayment of estimated personal income tax that you owe. If you choose to have the department compute the penalty, you do not need to complete Section V. You must complete Sections I through IV, however, or the department cannot calculate your penalty using an alternative method of computing estimated tax and you may be assessed based on the standard method. To compute the penalty, continue with Section V.

**Section V: Compute the penalty on underpayment of estimated installment payments.**

Complete Section V to calculate the penalty you owe.

**Rate Period 1 (Apr. 17, 2006 - Jun. 15, 2006)**

21. Enter the number of days from April 17, 2006, to the date the amount on line 19, column (a), was paid OR June 15, 2006, whichever is earlier.

22. Underpayment from corresponding column of line 19 x number of days on line 21 x 0.00041 =

**Rate Period 2 (Jun. 16, 2006 - Sept. 15, 2006)**

23. Enter the number of days from June 16th, 2006, to the date the amount on line 19 of the same column was paid OR September 15, 2006, whichever is earlier.

24. Underpayment from corresponding column of line 19 x number of days on line 23 x 0.00041 =

**Rate Period 3 (Sept. 16, 2006 - Jan. 17, 2007)**

25. Enter the number of days from September 16, 2006, to the date the amount on line 19 of the same column was paid OR January 17, 2007, whichever is earlier.

26. Underpayment from corresponding column of line 19 x number of days on line 25 x 0.00041 =

**Rate Period 4 (Jan. 18, 2007 - Apr. 16, 2007)**

27. Enter the number of days from January 17, 2007, to the date the amount on line 19 of the same column was paid OR April 16, 2007, whichever is earlier.

28. Underpayment from corresponding column of line 19 x number of days on line 27 x 0.00041 =

29. Add the penalty computed in all columns of lines 22, 24, 26, and 28. This is your total penalty on underpayment of estimated income tax.

	(a)	(b)	(c)	(d)
	4/17/06			
21				
22				
	6/16/06	6/16/06		
23				
24				
	9/16/06	9/16/06	9/16/06	
25				
26				
	1/17/07	1/17/07	1/17/07	1/17/07
27				
28				

29	
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## 2006 Calculation of Estimated Personal Income Tax Underpayment Penalty

### Instructions

#### WHO MUST MAKE ESTIMATED PAYMENTS?

Every individual who must file a personal income tax return under the Income Tax Act also must pay estimated income tax. The way to do this is through either withholding or estimated tax payments. **There is a penalty for underpayment or nonpayment of estimated tax.**

There is no penalty for underpayment of estimated income tax if:

- You are a first-year resident;
- The tax (net New Mexico income tax less total rebates and credits) shown on your return for the current year, less amounts withheld under the Withholding Tax Act, is under \$500. (Do not include tax withheld pursuant to the Oil and Gas withholding tax, Sections 7-3A-1 through 7-3A-9 NMSA 1978);
- Your tax liability for the tax year is less than \$500, or
- You are a full-year New Mexico resident whose previous tax year was a 12-month tax year and you owed zero tax for your preceding tax return.

#### HOW MUCH ESTIMATED TAX SHOULD YOU PAY?

To calculate estimated tax, first determine the "required annual payment" or the total amount of estimated tax to be paid during the tax year.

The **required annual payment** is the lesser of:

- 90% of the tax on the current year's return (or the tax for the year if no return is filed), or
- 100% of the tax on the prior-year return, but only if you filed a return for a full 12-month year.

When you have figured the required annual payment, then determine the amount and timing for each estimated tax installment payment.

Generally, **four equal installments of the required annual payment** are due on or before the 15th day of the fourth, sixth, and ninth months of the tax year and the first month of the following year. For most calendar-year taxpayers those dates are:

April 15	June 15
September 15	January 15

Sometimes a due date for an estimated payment is a Saturday, Sunday, state or national legal holiday. The estimated payment is timely when the postmark bears the date of the next business day. Delivery by a private delivery service is timely if the date on the delivery service records is on or before the required mailing date.

#### SPECIAL RULES APPLY TO CERTAIN TAXPAYERS.

There are exceptions to the general rules for determining the timing and amount of each estimated installment payment and for determining receipt of estimated payments.

Each exception is described on page 2 of these instructions. If one of the special rules applies, you may use a special method of calculating penalty on underpayment of estimated income tax by using Form RPD-41272 06, *2006 Calculation of Estimated Personal Income Tax Underpayment Penalty*.

#### HOW TO REPORT A SPECIAL METHOD OF CALCULATION OF ESTIMATED PERSONAL INCOME TAX UNDERPAYMENT PENALTY.

If you qualify for a special method of calculating estimated personal income tax underpayment penalty, you may reduce your penalty by filing Form RPD-41272 06, *2006 Calculation of Estimated Personal Income Tax Underpayment Penalty*. You must also mark the indicator box on line 31 of Form PIT-1 2006 as instructed below and submit it with your PIT-1 return. If you submit an incomplete or inaccurate Form RPD-41272 06, or you do not follow the directions above, the department will determine any estimated personal income tax penalty due based on the standard method.

#### HOW TO COMPLETE THE INDICATOR BOX ON LINE 31, FORM PIT-1 2006.

If you qualify, you must enter 1, 2, 3, 4 or 5 in the indicator box beneath line 31 on Form PIT-1, or your estimated personal income tax underpayment penalty will be calculated using the standard method. Enter 1 if you wish to compute estimated payments based on the actual dates on which all amounts of withholding tax were withheld for the applicable tax year. If you have annualized income and are required to file estimated payments beginning with the 2nd, 3rd, or 4th quarter estimated installment due date, enter 2, 3, or 4 respectively. If you qualify for special rules because you are a farmer or rancher, enter 5.

#### HOW TO COMPLETE THIS FORM.

To calculate estimated tax using this form, first determine the "**required annual payment**" in Section II. When you have figured the required annual payment, determine the amount and timing for each estimated tax installment payment in Sections III and IV. Use Section V to compute the penalty on underpayment of estimated installment payments.

If you wish the department to calculate the penalty for you, complete Sections I through IV, mark the box on page 3 of Form RPD-41272 06, and follow the instructions for reporting the special calculation method.

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## 2006 Calculation of Estimated Personal Income Tax Underpayment Penalty

### Instructions (continued)

#### HOW TO CALCULATE THE PENALTY FOR UNDERPAYMENT OR NONPAYMENT OF ESTIMATED PERSONAL INCOME TAX.

Underpayment or nonpayment of estimated tax is subject to penalty on the difference between the estimated tax payment and the actual amount of estimated tax due. Penalty accumulates from the due date of the estimated tax payment until the earlier of:

- the date the payment is made, *or*
- the 15th day of the fourth month following the close of the tax year.

New Mexico calculates penalty (in the form of interest) on underpayment of estimated tax at the statutory rate of 15% per year computed on a daily basis. The penalty is .041% of the unpaid estimated payment due for each day the payment is late. The formula for calculating daily penalty is:

$\text{Tax due} \times .00041 \times \text{Number of days late} = \text{penalty due.}$

No penalty applies to the fourth estimated payment if the taxpayer files a return and pays the entire amount on or before January 31 of the following year.

If the balance due is \$500 or more, the department first determines if the required annual payment was made. If it was, there is no penalty. If it was not, the department calculates the underpayment penalty and issues an assessment. If you believe an assessment is in error, you can protest the assessment and provide more information.

#### HOW TO PAY AN ESTIMATED INSTALLMENT PAYMENT.

To make an estimated installment payment by check, complete Form PIT-ES, *Estimated Income Tax Payment Voucher*. Form PIT-ES and instructions are available on the Department's web site, or you may call (505) 827-0827 or your local District Office. Write your social security number and the tax year of the return to which the payment applies on the check or money order. Make the payment payable to New Mexico Taxation and Revenue Department and mail with Form PIT-ES to:

**Taxation and Revenue Department  
P.O. Box 8390  
Santa Fe, NM 87504-8390**

To pay through the Internet, visit the department web site at [www.state.nm.us/tax](http://www.state.nm.us/tax). Click on "E-services". You may make

tax payments via credit card. *A convenience fee of 2.2% is required to use this service. The fee reimburses the state for fees charged by the credit card company.*

You may also pay by electronic check at no charge. An electronic check authorizes the department to debit your checking account in the amount you specify.

**ALTERNATIVE METHODS** for calculation of estimated personal income tax.

**Annualized income.** Taxpayers with seasonal income can use a modified annualization method to determine the amount and timing of their estimated payments. If a taxpayer does not have annualized income based on actual income received through March 31 sufficient to require a payment, no payment is required. The test dates for subsequent payments are May 31, August 31 and December 31. Based on actual income received, if a taxpayer is not required to make a payment for a specific period, the taxpayer may have to make up later in the year for not paying the earlier installment.

**Farmers and Ranchers.** The law provides a special rule, identical to the federal rule, for farmers and ranchers who expect to receive **at least** two-thirds of their GROSS income from farming or ranching, or who did receive **at least** two-thirds of their GROSS income from farming or ranching in the prior year. Farmers and ranchers who meet the gross income test may:

- 1) make one estimated payment in the amount of the "required annual payment" on or before January 15 of the year following the tax year of the return, or
- 2) file and pay in full on or before March 1 of the year following the tax year of the return.

On joint returns the farmer or rancher must consider the spouse's gross income in determining whether the two-thirds-of-gross-income test is met.

**Individuals who wish to compute estimated installment payments based on the actual dates on which all amounts of withholding tax were withheld for the applicable tax year.** The New Mexico income tax deducted and withheld by an employer is a payment of estimated tax. An equal amount of the tax withheld shall be considered as paid on each installment due date unless the taxpayer establishes the dates on which all amounts were actually withheld. This provision may be applied separately to wage and pension withholding and other amounts withheld under the Withholding Tax Act.